

EXHIBIT 3

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

SAMSON TUG AND BARGE CO., INC., an)	
Alaska Corporation,)	
)	
Plaintiff/Appellant)	
)	
vs.)	
)	
UNITED STATES OF AMERICA,)	
)	Case Number:
acting by and through)	A03-006 CV Admiralty
)	JWS
THE UNITED STATES DEPARTMENT OF)	
THE NAVY MILITARY SEALIFT COMMAND,)	
and UNITED STATES DEPARTMENT OF)	
THE ARMY MILITARY TRAFFIC)	
MANAGEMENT COMMAND,)	
)	
Defendants/Appellees.)	

DEPOSITION OF BRIAN P. PETERSON, VOLUME I
November 28, 2005
Seattle, Washington

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1 they're landing.

2 Q So Column 4 has the place of origin of the mission,
3 Column 6 has the destination?

4 A That's correct.

5 Q Item 7 lists the actual time.

6 Again, give us a definition of what's captured in
7 that actual time. Is that when the wheels start
8 rolling to when--

9 A Generally it should be when they actually hit the
10 ground.

11 Q Column No. 8, "Total pax"--

12 A Passengers.

13 Q And these would be people on the aircraft beyond the
14 normal crew?

15 A Yes.

16 Q And these persons would-- it would simply be
17 passengers that have no duties that related to the
18 flight of the aircraft, correct?

19 A Correct.

20 Q Item 9, total cargo, is this a poundage number?

21 A Yes, it is.

22 Q Okay. On Item 9, do you know what records are kept
23 in the database that relate to cargo?

24 A Clear that--

25 Q My understanding is that this printout was created by

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1 going to a database that the Air Force maintains. Is
2 that correct?

3 A Right.

4 Q So I take it from that, that the source of the total
5 cargo numbers, the poundage, comes from that
6 database.

7 A Yes, it comes-- there's a manifest in the data-- the
8 data comes from the manifest, and the manifest is
9 what is generated for the aircraft.

10 Q Let's talk about the manifest for a second.

11 Where and when is a manifest generated?

12 A That's a long-- the manifest-- the general manifest
13 is created from the user who wants to put it on the
14 plane, so whoever is the user, the customer, will
15 generate a manifest of bodies or passengers in cargo
16 that have to be on the plane.

17 So he will generate the poundage and the
18 passengers to be sent over to us, which is the 732nd
19 squadron who handles the actual putting the people on
20 board.

21 We do all the ground operations.

22 Q Okay. So the customer, as it were, generates the
23 manifest, including the poundage?

24 A Correct.

25 Q Is cargo weighed separately before it's stowed on an

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MANAGEMENT COMMAND,)
)
Defendants/Appellees.)

DEPOSITION OF BRIAN P. PETERSON, VOLUME II

November 29, 2005

Seattle, Washington

Byers & Anderson, Inc.

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Brian P. Peterson, Vol II
November 29, 2005

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1 Looking at the table, and I'm on Sheet 1, Page 1,
2 the first column on the left says, "First mission
3 ID," and under that there's a letter numeric
4 designation.

5 Could you tell us what information is captured in
6 the column "First mission ID"?

7 A Well, the first mission ID is-- this is not basically
8 the information that we produce in the squadron.
9 That is in Column 1, and that's all you're asking
10 about. I am not real familiar with every designation
11 on the first column. It's this third column that
12 would be the one that would be more realistic to what
13 I'm dealing with.

14 Q Okay. And we're going to go through them. There's
15 14 columns, and we'll go through most of them, but I
16 need to know whether you have information or exhaust
17 your information column to column.

18 This is Greek to me, and there might be some
19 information you have that would help us.

20 I see at least on the first page of the exhibit
21 the designations start out with the letters "AU."

22 Do you have any idea what that means?

23 A Absolutely-- do I have an idea what it means?

24 Q Yes.

25 A Well, no, not really.

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1 There is a designator book that is uniformly used
2 by the government or the Air Force or even probably
3 the Army or all the services that would designate
4 "A," would designate "U," and designate every aspect
5 of that number.

6 Now, the third column over is the same as the
7 third column over-- it's a mission over and it
8 designates certain things.

9 I don't have that in front of me. I have it up
10 in Alaska, but I don't have the code book that
11 designates what each letter designates.

12 Q Can you describe that code book well enough so if I
13 put a request out to the attorney for the government,
14 she would understand what I'm asking for?

15 Do you know the name of the code book?

16 MS. FRANKEN: Is it what I showed you
17 earlier today?

18 THE WITNESS: It's referred to what
19 Jeanne has showed me earlier, yes. It's designated
20 similar to what she showed me if not that exact book.
21 She just took captions of--

22 MS. FRANKEN: If we were to show you
23 Exhibit No. 17B to the claim-- perhaps Mr. Gluck
24 could help us.

25 Q (By Mr. Royce) Mr. Gluck has just handed me a